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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE EASTERN DISTRICT OF CALIFORNIA

8 GLEN CALDWELL,

9 Plaintiff,

10 vs.

11 CHAN, et al.,

12 Defendants.
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CIV-S-04-2693 RRB GGH PS

ORDER OF DISMISSAL

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15 On November 23, 2005, the Magistrate Judge filed Findings
16 and Recommendations herein which were served on the parties and
17 which contained notice that any objections to the findings and
18 recommendations were to be filed within ten days. Plaintiff filed
19 objections on December 2, 2005, and they were considered by the
20 District Judge.

21 This Court reviews de novo those portions of the proposed
22 findings of fact to which objection has been made. 28 U.S.C.
23 § 636(b)(1); McDonnell Douglas Corp. v. Commodore Business
24 Machines, 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455
25 U.S. 920 (1982). As to any portion of the proposed findings of

